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Attorneys for Plaintiffs

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RONALD DUTTON,

Plaintiff,

vs.

TODD SHIPYARDS CORPORATION et al

Defendants.

No.C05-3107 JSW

JOINT MOTION AND STIPULATION TO
CONTINUE CASE MANAGEMENT
CONFERENCE AND TO EXTEND TIME;
[PROPOSED] ORDER

Pursuant to Civil L. R. 7-11 and 7-12, the following parties hereby stipulate to, and respectfully move the Court for, an Order extending time as set forth in the *Order Setting Initial Case Management Conference* filed August 1, 2005 (Document 2), for the following good cause: On September 23, 2005 Defendant TODD SHIPYARD CORPORATION filed a *Notice and Motion to Transfer Action under 18 U.S.C. §1407* (Document 10) regarding the pending Multidistrict Litigation ("MDL") in the Eastern District of Pennsylvania seeking to move Jurisdiction of this matter to that District.

To date, the Clerk of the Judicial Panel on Multidistrict Litigation ("MDL Panel") has not entered a *Conditional Transfer Order* pursuant to MDL Panel Rule 12(a) or filed an order to show cause why the action should not be transferred, pursuant to MDL Panel Rule 13(b).

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1 It is likely the case management deadlines set by this Court will come to pass before the
2 Clerk of the MDL Panel acts.

3 In addition, although all Defendants have been served, to date, an Answer is still pending
4 from Defendant GENERAL DYNAMICS CORPORATION.

5 Due to the pending action by the Clerk of the MDL Panel, and the time needed by the
6 panel to consider the notices and motion of Defendant TODD SHIPYARDS CORPORATION,
7 the following parties hereby STIPULATE to and respectfully request that the dates set forth in
8 the *Order Setting Initial Case Management Conference* filed August 1, 2005 (Document 2),
9 including the deadline to file the Joint Case Management Statement on October 14, 2005 and the
10 Case Management Conference currently set for hearing on November 4, 2005, be continued
11 pending the outcome of the MDL Panel's decision on the merits of the transfer.

12 Dated: September 27, 2005

BRAYTON❖PURCELL LLP

/s/ David R. Donadio

14 By: _____
David R. Donadio
Attorneys for Plaintiffs

16 Dated: October 4, 2005

KNOTT & GLAZIER LLP

/s/ Laura Patricia Yee

18 By: _____
Laura Patricia Yee
Attorneys for Defendant
LOCKHEED SHIPBUILDING COMPANY

21 Dated: September 27, 2005

CHARTER DAVIS, LLP

/s/ Jeffery J.A. Hinrichsen

24 By: _____
Jeffery J.A. Hinrichsen
Attorneys for Defendant VIAD CORP.

26 Dated: September 27, 2005

YARON & ASSOCIATES

/s/ Keith E. Patterson

27 By: _____
Keith E. Patterson
Attorneys for Defendant TODD
SHIPYARDS CORPORATION

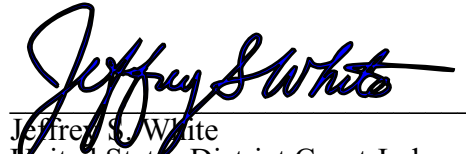
[PROPOSED] ORDER

IT IS HEREBY ORDERED that the hearing date and deadlines specified in the *Order Setting Initial Case Management Conference* filed August 1, 2005 (Document 2) are hereby VACATED.

IT IS FURTHER ORDERED that the Case Management Conference is continued a date on or after January 1, 2006 to wit: Friday, January 13, 2006 at 1:30 p.m., Courtroom 2, 17th Floor, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

Dated: October 5, 2005


Jeffrey S. White
United States District Court Judge

Roger Dutton vs. Todd Shipyards Corporation et al, USDC, N.D. Calif. No.C05-3107 JSW